



Attorney Docket No. 0756-7259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	Group Art Unit: 2818
Koichiro TANAKA et al.	)	Examiner: Chuong A. Luu
Serial No. 10/787,120	)	<u>CERTIFICATE OF MAILING</u>
Filed: February 27, 2004	)	I hereby certify that this correspondence is
For: LASER IRRADIATION METHOD,	)	being deposited with the United States Postal
LASER IRRADIATION APPARATUS,	)	Service with sufficient postage as First Class
AND METHOD FOR	)	Mail in an envelope addressed to:
MANUFACTURING	)	Commissioner for Patents, P.O. Box 1450,
SEMICONDUCTOR DEVICE	)	Alexandria, VA 22313-1450, on
	)	<u>Dec 22-06</u>
	)	<u>Adrian M. Stamps</u>

RESPONSE

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed September 25, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on February 17, 2005; March 1, 2005; July 26, 2005; March 21, 2006; and April 4, 2006.

The Applicant appreciates Examiner Luu's time in conducting a telephonic interview during the week of September 25, 2006. The Applicant's representative noted that Box 2 of the Office Action Summary attached to the Official Action mailed September 25, 2006, was marked both "final" and "non-final," and noted that the body of the Official Action itself appeared to be non-final. The Examiner agreed that the Official Action was non-final and that Box 2a (final) of the Office Action Summary should not

have been checked. It is also noted that the Image File Wrapper confirms that the pending Official Action is non-final. As such, the present response is after a non-final Official Action.

The Applicants again note the partial consideration of the Information Disclosure Statement filed on November 4, 2004 (received by OIPE November 5, 2004). Specifically, it appears that the Examiner inadvertently overlooked the citation of the "European Search Report dated September 3, 2004 for EP 04 00 4257," which is cited in the "OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS" section of the Form PTO-1449. In order to facilitate the Examiner's consideration of the European Search Report, the Applicants previously attached a courtesy copy of the partially considered Form PTO-1449 (in the Image File Wrapper, see the "List of References cited by applicant and considered by examiner" with a Mail Room Date of "03-03-2006" or see page 4 of 4 of the "List of References cited by applicant and considered by examiner" with a Mail Room Date of "12-01-2005"). The Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the European Search Report.

Further, the Applicants still have not received acknowledgment of the Information Disclosure Statement filed on November 2, 2005 (received by OIPE November 4, 2005). The above-referenced Information Disclosure Statement appears in the Image File Wrapper, and consideration of this Information Disclosure Statement is respectfully requested.

A further Information Disclosure Statement was filed on September 8, 2006 (received by OIPE September 11, 2006), and consideration of this Information Disclosure Statement is respectfully requested.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

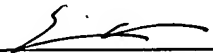
Claims 7, 8, 10-13 and 15-24 are pending in the present application, of which claims 7, 8, 12, 13, 18 and 19 are independent. For the reasons set forth in detail

below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 7, 8, 10, 12, 13, 15 and 18-20 as obvious based on the combination of U.S. Patent No. 7,026,227 to Tanaka and U.S. Patent Application Publication No. 2006/0019474 to Inui. The Official Action rejects claims 11, 16, 17 and 21 as obvious based on the combination of Tanaka, Inui and U.S. Patent No. 5,304,357 to Sato. However, Inui is not available as prior art under 35 U.S.C. § 102. The Inui '474 is a publication of application Serial No. 11/190,707, filed July 26, 2005; whereas, the present application was filed February 27, 2004. Also, the present application has been made a continuation-in-part of application Serial No. 10/678,083 (see the Supplemental Application Data Sheet filed February 4, 2005). As such, a part of the application may have an effective filing date of October 6, 2003. In any event, the filing date of Inui is after the U.S. filing date of the present application. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

  
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